

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

PETER A. CRAWFORD,

Plaintiff,

v.

Civil Action No.
05-cv-10078 (DPW)

WOLVERINE, PROCTOR & SCHWARTZ, INC.,
STEVEN F. CHILINSKI, and
DEEPAK S. KULKARNI,

Defendants.

**JOINT MOTION FOR EXTENSION OF TIME FOR PARTIES TO FILE OPPOSITION
TO CURRENTLY PENDING MOTIONS FOR SUMMARY JUDGMENT**

NOW COMES the Plaintiff and Defendants in the above-captioned action (collectively the “parties”) and jointly move for an order extending the time for the parties to respond to the currently pending cross-motions for summary judgment to Friday, April 7, 2006. The parties also move for an Order moving the deadline for filing the joint status report from April 6 to April 11, 2006. The currently scheduled April 13 status conference would remain as scheduled.

The currently pending cross-motions for summary judgment were filed on March 17, 2006. Pursuant to Local Rule 7.1(B)(2) and this Court’s order, opposition to the motions for summary judgment were originally due on March 31, 2006. In response to an earlier joint motion, this Court previously moved the deadline for filing oppositions to the pending cross-motions from March 31, 2006 to April 3, 2006 -- the parties now ask the Court to move this deadline to April 7, 2006. In support of this motion:

1. The parties state that their cross-motions for summary judgment in this matter were filed on March 17, 2006.

2. The parties state that following leave granted by this Court, the parties' briefs in support of their motions for summary judgment were approximately forty (40) pages in length.

3. The parties state that they each submitted briefs in support of their cross-motions for summary judgment which included several distinct and complex legal arguments.

4. Defendants state that Mark M. Whitney is lead counsel for each of the defendants in this action. Mr. Whitney is also the resident expert on non-compete issues at Morgan, Brown & Joy, LLP ("MBJ").

5. Defendants state that on March 21, 2006, MBJ was notified that one of its clients, Performance Food Group Company ("PFGC"), and several of PFGC's employees had been served with papers seeking an emergency temporary restraining order in Maine Superior Court. This action is entitled "Poultry Products Co. of New England, Inc., et al. v. Performance Food Group Co., et al." and is docket number 06-51 in Kennebec County Superior Court.

6. Defendants state that Mr. Whitney was forced to travel to Augusta, Maine for most of the week of March 20 to oppose the opposing party's application for a TRO in the Poultry Products case.

7. Defendants state that following a hearing on the application for the emergency TRO in the Poultry Products litigation, the judge in that case ordered a full evidentiary hearing to take place during the entire week of March 27, 2006. That hearing, which is currently in progress in Augusta, is essentially a full-scale trial with approximately fifteen fact witnesses. The Judge in the Poultry Products litigation has also indicated that post-hearing bench briefs will also be necessary.

8. Defendants state that because of the unplanned and emergency nature of the Poultry Products proceedings, Mr. Whitney has been unable to devote any time to preparing opposition papers to plaintiff *pro se* Peter A. Crawford's pending motion for summary judgment.

9. As a result, the parties state that the defendants in this litigation have requested, and plaintiff has consented to, a modest extension of the parties' deadline to submit opposition papers to the pending motions for summary judgment to Friday, April 7, 2006.

10. The parties also move for an Order moving the deadline for filing the joint status report from April 6 to April 11, 2006.

WHEREFORE, the parties jointly and respectfully jointly move this Court to grant the parties an extension of time until April 7, 2006 to submit their opposition papers to the currently pending cross-motions for summary judgment. The parties also jointly move for an Order moving the deadline for filing the joint status report from April 6, 2006 to April 11, 2006. The parties request that the status conference scheduled for 2:30 p.m. on April 13 remain scheduled.

Respectfully submitted,

PETER A. CRAWFORD,

WOLVERINE, PROCTOR & SCHWARTZ,
INC.; DEEPAK S. KULKARNI and STEVEN
CHILINSKI,

Plaintiff *Pro Se*

By their attorneys,

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Dated: March 30, 2006